



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Docket No.: 6332.140 DIV

ROCHMAN

Parent Appln. Examiner: W.S. Yip

Serial No.: 10/799,721

Filed: March 15, 2004

Parent Appln. Group Art Unit: 3637

Title: SKID PLATE AND PRE-HUNG DOOR ASSEMBLY

**37 CFR 1.17 (h) PETITION TO INCLUDE OMITTED ITEMS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the enclosed Notice of Omitted Items In a Nonprovisional Application mailed May 28, 2004, please consider the admission of Figure 7 allegedly omitted from the originally application.

Enclosed is a stamped copy of the original US Patent and Trademark Office (US PTO) receipt indicating that the current application, as filed, contained six (6) sheets of drawings. Also enclosed is copy of the post card listing the serial number of the application (10/799,721) and indicating that six (6) sheets of drawings were originally submitted. The applicant has received no indication from the Office of Initial Patent

06/07/2004 HTECKLU1 00000118 500548 10799721

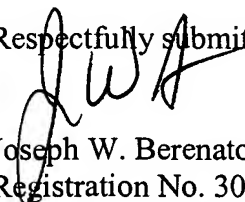
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Examination that the current application contained fewer than the specified number of drawing sheets listed in the two US PTO documents described above.

The current application is a divisional application of Serial No. 10/011,740 (the "parent" application). Both the parent application and the divisional application contain the same six sheets of drawings (enclosed), comprising Figures 1-8. Since Figure 7 was previously submitted with the parent application, the applicant has logically submitted Figure 7 with the divisional application. No additional drawings have been generated for the divisional application.

The applicant respectfully submits that Figure 7 was in fact deposited at the US PTO with the non-provisional application papers on the application's filing date, as indicated by the attached stamped US PTO documents. The applicant respectfully requests that enclosed Figure 7 be restored to the application. The applicant further requests the refund of the enclosed petition fee.

The applicant submits that the required fee is enclosed and that no additional fees are due with this submission. Should that determination be incorrect, then please debit Account No. 50-0548 and notify the undersigned.

Respectfully submitted,  
  
Joseph W. Berenato, III  
Registration No. 30,546  
Attorney for Applicant



BEST AVAILABLE COPY

RECEIVED IN THE U.S. PATENT AND TRADEMARK OFFICE

In re the Divisional Patent Application of:  
ROCHMAN

Serial No.: To be Assigned

Filed: Concurrently herewith

Title: SKID PLATE AND DOOR...

Enclosed:

- 1) Acknowledgment postcard
- 2) Transmittal Form & Fee Transmittal
- 3) Specification - 19 pp.
- 4) Drawings - 6 sheets
- 5) Copy of Declaration
- 6) Copy of Assignment
- 7) Preliminary Amendment
- 8) Check No. 12465 for \$385.00

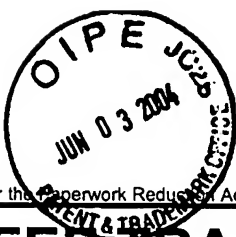
JWB/dmg

March 15, 2004 - Via Courier

6332.140



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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 130.00

## Complete if Known

Application Number 10/799,721

Filing Date 03/15/2004

First Named Inventor ROCHMAN

Examiner Name W.S. Yip

Art Unit 3637

Attorney Docket No. 6332.140 DIV

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
Deposit Account Name

50-0548

Liniak, Berenato & White,

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	150.00
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00

## SUBMITTED BY

(Complete (if applicable))

Name (Print/Type) Joseph W. Berenato, III Registration No. 30,546 Telephone 301-896-0600  
Signature [Signature] (Attorney/Agent) Date 6/17/04

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.